

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

FILED

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BARBARA SCHWAB, et al.,

Plaintiffs,

-against-

PHILIP MORRIS USA INC., et al,

Defendants.  
-----x

MEMORANDUM CLERK  
U.S. DISTRICT COURT  
AND EASTERN DISTRICT  
ORDER OF NEW YORK  
CV 04-1945 (JBW)

JACK B. WEINSTEIN, Senior United States District Judge:

Plaintiffs have made the following motions:

- 1) for collateral estoppel and partial summary judgment (July 22, 2005);
- 2) for partial summary judgment, or in the alternative, a motion in limine regarding defendants' "compensation" defenses (July 22, 2005);
- 3) for partial summary judgment, or in the alternative, a motion in limine regarding the meaning of the "lights/lights" descriptors (July 22, 2005); and
- 4) for partial summary judgment, or in the alternative, a motion in limine regarding defendants' "compliance with the public health community" defense;

These motions are to be heard on September 12, 2005 at 11:00 a.m. together with other motions related to the merits. The parties shall work out a briefing schedule or, if they cannot, the Magistrate Judge will do so.

\$O ORDERED.

Jack B. Weinstein  
Senior U.S.D.J.

Dated: July 29, 2005  
Brooklyn, New York

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